

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Criminal Minute Order

The Honorable Claudia Wilken, Presiding
Clerk: Sheilah Cahill
Court Reporter: Diane Skillman
Date: 4/16/08

FILED

APR 16 2008

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

Plaintiff: United States

v.

No. CR-97-40059 CW
CR-07-00344 CW

Defendant: Kenneth Eugene Holloway (present - in custody)

Appearances for Plaintiff:
Doug Sprague

Appearances for Defendant:
Frank McCabe

Probation Officer:
Mark Messner on supervised release violation
Connie Cook

Hearing: Sentencing

Notes: Defendant and counsel have read PSR. Court follows plea agreement and PSR. Court finds Offense Level 21, Criminal History V, leading to a Guideline Range of 70 to 87 months. The Court sentences the defendant to 87 months on Count 1 and 60 months on Count 3 to run consecutive for a total of 147 months, to be followed by 5 years supervised release under the usual terms and conditions and the special conditions as set forth in the PSR. No fine imposed due to lack of ability to pay a fine. Defendant to pay \$200 special assessment which may be paid through the defendant's participation in the BOP Inmate Financial Responsibility Program at the rate of \$25 per quarter. Count 2 is dismissed on motion by the government. Court will recommend placement in an institution not in California, but as close to California as possible and one that has both mental health and vocational training programs. Defendant is remanded into federal custody. See J&C for details.

Defendant previously admitted supervised release violation. On the supervised release violation, the Court finds Grade A violation, Criminal History III, leading to a Guideline Range of 18 to 24 months. The Court sentences the defendant on the supervised release violation to 24 months, of which 15 months shall run concurrent to the 147 months imposed in CR-07-344, and 9 months shall run consecutive for a total of 156 months, to be followed by one year supervised release to run concurrent to the five years imposed in CR-07-344. See J&C for details.

Copies to: Chambers